

REMARKS

Applicant notes with appreciation the Examiner's withdrawal of the prior art rejection in the second Office Action. All claims now stand rejected under 35 U.S.C. §103 as being unpatentable over Skog et al. in view of newly-cited and applied U.S. Patent 6,697,354 to Borella et al. This rejection is respectfully traversed.

As an initial matter, Applicant submits that the Skog reference is not prior art to the instant application. 35 U.S.C. §103(c) recites that:

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of §102 is the title, such not preclude patentability under this section where the subject matter of the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

In this case, Skog qualifies as prior art only under subsection §102(e). Both Skog and the claimed invention, at the time invention was made, were owned by Telefonaktiebolaget LM Ericsson (publ) or were subject to an obligation of an assignment to Telefonaktiebolaget LM Ericsson (publ). Accordingly, Skog is not prior art, and the rejection based on §103 is improper.

In addition, even if Skog were prior art, the combination of Skog and Borello fail to teach the claimed invention. The Examiner admits that Skog fails to teach:

an inventive concept of using the GGSN for combining the APN Gateway address and the subscriber IP address, to form a unique subscriber identifier.

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The Examiner relies on Borello in an attempt to teach this inventive concept missing from Skog, and in particular, on the Abstract and column 12, lines 30-67 in Borello.


The Examiner contends that Borello teaches "combining the APN gateway address and the subscriber IP address, to form a unique subscriber identifier and sending from the GGSN the identifier to the RADIUS server for accounting." Review of column 12, lines 30-67 in Borella reveals that there is no mention of a GGSN or a RADIUS server. This text deals only with computer networks. The claims do not recite combining a globally unique port and a common external address. Rather, the claims recite combining an APN Gateway address and a subscriber IP address in the GGSN to form an unique subscriber identifier. This feature is simply not disclosed or suggested in Skog or Borella.

This application is in condition for allowance. An early notice to that effect is earnestly solicited.

Respectfully submitted,

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